Alexis Mager Lakusta, in propria persona 1259 El Camino Real #245 Menlo Park, CA 94025 (650) 566-9971

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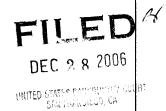
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

ALEXIS MAGER LAKUSTA,

Debtor.

Adv. Proc. No. 02-31521 TC

Chapter 7

Adv. Proc. No. 03-3549 TC

ALEXIS MAGER LAKUSTA,

Plaintiff,

VS.

MARK H. EVANS, CHICAGO TITLE COM-PANY, SHARON E. LAFOUNTAIN, DAVID BOONE, OLD LA HONDA PROPERTIES, LLC, and DOES 1 through 10 inclusive.

Defendants

NOTICE OF APPEAL

Alexis Mager Lakusta, Debtor and Plaintiff, hereby appeals under 28 U.S.C. section 158 (a) from ORDER DIRECTING DISMISSAL OF ACTION WITH PREJUDICE (issued by United States Bankruptcy Judge Thomas E. Carlson and entered in this Chapter 7 case on December 18, 2006). A copy of the order being appealed from is attached to this Notice of Appeal, including a copy of the Court Service List. Also being filed with this Notice of Appeal, pursuant to Federal Rules of Bankruptcy

Procedure, Rule 8001(e), is a separate statement of election to have this appeal 1 2 heard by the United States District Court. 3 The names of all parties to the order being appealed from, and the names, addresses, and telephone numbers of their respective attorneys, where applicable, 4 5 are: 6 Aron M. Oliner, Esq. [former counsel to Charles E. Sims, Trustee, deceased] 7 Duane Morris LLP 1 Market Plaza Spear Tower, 20th Floor 8 San Francisco, CA 94105-1104 (415) 957-3104 9 10 Mark H. Evans and Old La Honda Properties, LLC 11 counsel: Catherine Schlomann Robertson, Esq. Pahl and Gosselin 12 225 West Santa Clara Street, Suite 1500 San Jose, CA 95113-1700 13 (408) 286-5100 14 15 Sharon E. La Fountain 13651 Saratoga-Sunnyvale Road 16 Saratoga, CA 95070 (408) 867-2000 counsel: unknown 17 18 Chicago Title Company 19 counsel: Kathleen J. Moorhead Peter K. Wolff, Jr. 100 N. Wiget Lane, Suite 150 20 Walnut Creek, California 94598 21 (925) 930-9550 22 David A. Boone, Esq. 23 counsel: James Roberts, Esq. Roberts and Elliott, LLP Ten Almaden Boulevard 24 Suite 500 25 San Jose, CA 95113

Office of the U. S. Trustee 235 Pine Street, Suite 700 San Francisco, CA 94104 (415) 705-3333

Dated: December 18, 2006 Signed Alexi, Megar Lakusta Alexis Mager Lakusta,

Alexis Mager Lakusta, in propria persona 1259 El Camino Real #245 Menlo Park, CA 94025 (650) 566-9971 Case 4:07-cv-00227-SBA Document **De@emberided,@006**/2007

Entered on Docket

GLORIA L. FRANKLIN, CLERK **U.S BANKRUPTCY COURT** NORTHERN DISTRICT OF CALIFORNIA



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In re

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27 2.3 Signed and Filed: December 15, 2006

THOMAS E. CARLSON **U.S. Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

Case No. 02-31521 STC

Chapter 7

Adv. Proc. No. 03-3549 TC

Plaintiff,

Debtor.

vs.

ALEXIS MAGER LAKUSTA,

ALEXIS MAGER LAKUSTA,

MARK H. EVANS; SHARON LA FOUNTAIN; and ALVIN C. SILVERNAGEL,

Defendants.

Date: December 11, 2006

Time: 9:30 a.m.

Ctrm: Hon. Thomas E. Carlson

235 Pine Street San Francisco, CA

ORDER DIRECTING DISMISSAL OF ACTION WITH PREJUDICE

Upon due consideration, and for the reasons stated in the accompanying memorandum and on the record at the December 11, 2006 hearing, the court hereby enters the following order.

ORDER DIRECTING DISMISSAL OF ACTION WITH PREJUDICE

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- (1) The above-entitled chapter 7 case is reopened for the purpose of entry of this order. No filing fee shall be charged to any party to reopen this case.
- (2) The court hereby determines that the claims asserted in Lakusta v. Evans, et al., San Mateo Superior Court No. CIV 454368 (the 2006 Action), are assets of the Lakusta bankruptcy estate that were not abandoned to Mr. Lakusta upon the closing of the chapter 7 bankruptcy case, and that Mr. Lakusta has no interest in those claims.
- (3) Pursuant to 11 U.S.C. § 105, Aron M. Oliner is appointed to act on behalf of the Lakusta bankruptcy estate with respect to the 2006 Action.
- (4) Mr. Oliner is ordered to sign and submit for filing a request that the 2006 Action be dismissed with prejudice.

END OF ORDER

Court Service List

Alexis Mager Lakusta 1259 El Camino Real, Suite 245 Menlo Park, CA 94025-4208

Catherine Schlomann Robertson, Esq. 5 225 West Santa Clara Street Suite 1500 San Jose, CA 95113-1700

Aron M. Oliner, Esq. Law Offices of Duane Morris 8 1 Market Spear Tower #2000 San Francisco, CA 94105-1411